

**BOARD OF ADJUSTMENT
MEETING MINUTES
CITY OF MINNEAPOLIS
ROOM 220 CITY HALL
December 12, 2001**

CALL TO ORDER AND ROLL CALL VOTE

Present were Debra Bloom, David Fields, John Finlayson, Marissa Lasky, Peter Rand, Paul Gates, Gail Von Bargen, Gary Schiff and Richard White. Richard White called the meeting to order at 2:00 p.m. Nicole Peterson from the Zoning Office was present, along with Hilary Watson and Jason Wittenberg of Planning.

HEARING

1. 2012 Sheridan Ave. S. (BZZ-419, 7th Ward)

Peter H. Watson has filed to appeal the decision of the Zoning Administrator not to accept an application for a variance of the allowed height of an accessory structure that exceeds 16 ft. or 60% of the height of the structure to which it is an accessory, whichever is greater.

Zoning Presentation by Ms. Peterson:

Item #3 is an appeal to the Zoning Administrator's decision. The appellant is Peter Watson and the address is 2012 Sheridan Avenue South. The zoning district is R1 and located in ward 7. The ordinance in question is 525.520 (4). The applicant's request is to appeal the decision not to accept a variance application to increase the maximum height of an accessory structure from 12 ft. up to 18 ft. Ordinance 525.520 (4) states you cannot apply for a variance that exceeds 16 ft. or 60% of the primary structure. One anonymous letter of opposition was received.

Zoning Administrator presentation by Mr. Dacquito:

This is an appeal of the Zoning Office decision not to accept a variance. Looking at the zoning code under variances there is a restriction that the maximum height of any accessory structure shall not exceed 16 ft. or 60% of the height of the structure to which it is accessory. That is the maximum variance that we are allowed to accept and process. The garage in question is 18 ft. to the midpoint of the roof, therefore the Zoning Office had no option but to not accept the application. This is a continuing issue however this is what the code states at present time.

Planning Department Staff Recommendation by Mr. Wittenberg:

Staff recommends **denial** of the appeal.

Applicant's Statement

Peter H. Watson states he does not disagree with the planning department findings and wished to inform the Board of the history so, as the Board would understand the situation. The house was purchased in 1997 with an existing carriage house, which was built back in 1914; it is a post and beam structure not having any historical significance and has existed there for a long time. The post and beam structure is leaning to the East Side of the lot and will soon fall down or be condemned and I would like to do something about it. Mr. Watson's objective is to replace the existing carriage house with an identical structure minus the lean too, which exists on the current structure. Mr. Watson also states he has spoken with his neighbors and has their support with the exception of his immediate neighbors from the south and they are the Nelsons, who abstained from comment to myself or to get involved. In asking for 2 ft. height increase and with the understanding of the restricting 16 ft., Mr. Watson expresses to the Board granting his request would be practical and constructing the same structure and move it 2 ft. onto my property for the

appropriate setback and I would have to significantly change the design to implement a hip roof or something esthetically pleasing to the neighbors and myself if I were to try to comply with 16 ft. so I've read one objection and it speaks to the traffic patterns in the alley which would not be affected and having to comply with the requirements and that is why laws are there but the Board of Adjustment is here to help be practical in these matters and it is frustrating after discussions with the zoning office and the planning office it is viewed to be repairable but at a much greater cost than my proposal and my proposal also would be in keeping of the neighborhood, add value to the home, add value to the neighbors properties the exterior would be stucco matching the house and would maintain conformity with the neighborhood. The neighborhood group does not endorse but does not oppose.

Supporting Statement

Council Member Lisa Goodman spoke in support of the appeal. Ms. Goodman also stated the accessory structure, which is being requested, is not new to the lot but in keeping with what is already existing there. It is very hard to explain to people if you want to improve your property and take away the lean too that is fine but if you do that then a whole new set of regulations kicks in and it has to be longer or shorter and it has to be different than what is already existed there. I think that creates a idea of not investing in your property and improving it and maintaining it so really this is a garage that is the same size and if the request was different I may have a different opinion. I do not get involved in items of my ward if I am aware of any opposition to the proposal and was not aware of any until today at this hearing.

Actions:

The Board of Adjustment adopted the findings and **denied** the application.

Roll Call Vote To Deny

Yeas: Bloom, Fields, Finlayson, Gates, Lasky, Rand, Schiff, Von Bargen, White

Nays: None

Abstain: None

Absent: None